

**FILED**

**MAY 02 2007**

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

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Interim United States Attorney

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Attorneys for United States of America

UNITED STATES MAGISTRATE COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
JULIO VEGA, )  
IRMA VEGA, )  
 )  
Defendants. )

No. CR 3 - 07 - 70026 JL

~~PROPOSED~~ ORDER EXCLUDING  
TIME FROM THE SPEEDY TRIAL ACT  
CALCULATION  
[18 U.S.C. § 3161(h)(8)(A), (B)]

With the agreement of the parties, and with the consent of the defendant, the Court enters this order scheduling an arraignment or preliminary hearing date of May 30, 2007, at 9:30 a.m. before the duty magistrate judge, as well as documenting the defendants' waiver of the preliminary hearing date under Federal Rule of Criminal Procedure 5 and the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(b), from May 2, 2007 to May 30, 2007. The parties agree, and the Court finds and holds, as follows:

1. The defendants are in custody and have pending, active warrants out of Sonoma County.

2. The defendants both agree to an exclusion of time under the Speedy Trial Act based upon the need for defense counsel to continue to review discovery in the context of attempting to

*for specific representation + continuity of counsel*  
*according to representation in court*

1 resolve this matter prior to indictment.

2 3. Counsel for the defendants believe that postponing the preliminary hearing is in his  
3 client's best interest, and that it is not prejudicial for the defendant to provide the United States  
4 with additional time to indict the case, or otherwise resolve the matter short of indictment, by a  
5 May 30, 2007 preliminary hearing date.

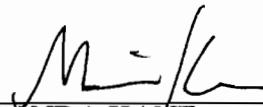
6 4. The Court finds that, taking into the account the public interest in the prompt  
7 disposition of criminal cases, these grounds are good cause for extending the time limits for a  
8 preliminary hearing under Federal Rule of Criminal Procedure

9 5. Given these circumstances, the Court finds that the ends of justice served by  
10 excluding the period from May 2, 2007 to May 30, 2007, outweigh the best  
11 interest of the public and the defendant in a speedy trial and ensure effective preparation of  
12 counsel. Id. § 3161(h)(8)(A) and (B).

13 5. Accordingly, and with the consent of each of the defendants, the Court (1) sets a  
14 preliminary hearing date of May 30, 2007 before the duty magistrate  
15 judge at 9:30 a.m.; and (2) orders that the period from May 2, 2007 to May 30,  
16 2007, be excluded from the time for preliminary hearings under Federal Rule of Criminal  
17 Procedure 5 and Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(8)(A)&(B)(iv).

18 **STIPULATED:**

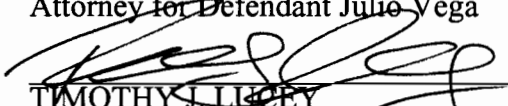
19 DATED: 5/2/07

  
MIRANDA KANE  
Attorney for Defendant Irma Vega

21 DATED: 5/2/07

  
MARK GOLDROSEN  
Attorney for Defendant Julio Vega

23 DATED: 5/2/07

  
TIMOTHY J. LACEY  
Assistant United States Attorney

25 **IT IS SO ORDERED.**

27 DATED: 5/2/07

  
HONORABLE ELIZABETH D. LAPORTE  
United States Magistrate Judge